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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT:	Docket Number (Optional) ASTXNA00100
In re Application of Michael D. LAUFER	
Application No:: 09/095,323	
Filed: June 10, 1998	
For: METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BODY C	ONDUITS
except as provided below, the terminal part of the statutory term of any patent granted on the instant the expiration date of the full statutory term prior patent No. 7.027.869 as the term of said and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The c granted on the instant application shall be enforceable only for and during such period that it and the p agreement runs with any patent granted on the instant application and is binding upon the grantee, its said that the prior the grantee is the said that the prior that the prior that it is not the prior that the prio	prior patent is defined in 35 U.S.C. 154 wher hereby agrees that any patent so rior patent are commonly owned. This uccessors or assigns.
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any paten would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer. In the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable: is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate:	t granted on the instant application that prior patent, sas the term of said prior
is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened t	y any terminal disclaimer.
Check either box 1 or 2 below, if appropriate	
For submissions on behalf of a business/organization (e.g., corporation, partnership, university etc.), the undersigned is empowered to act on behalf of the business/organization.	government agency.
I hereby declare that all statements made herein of my own knowledge are true and that a belief are believed to be true; and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United statements may jeopardize the validity of the application or any patent issued thereon.	willful false statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 42:280	
	October 31, 2007
Signature ₄ Signature	Date
Sanjay S: Bagade	
Typed or printed name	
	(650) 242-4212
	Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) included.	
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"Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.	

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P.TO/SB/26 (07-06)

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING Docket Number (Optional) ASTXNA00100 **REJECTION OVER A "PRIOR" PATENT** In re Application of: Michael D. LAUFER Application No.: 09/095.323 Filed: June 10, 1998 For: METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BODY CONDUITS , of 100 percent interest in the instant application hereby disclaims. except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6.634,363 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable: is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer. Check either box 1 or 2 below, if appropriate. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. The undersigned is an attorney or agent of record. Reg. No. 42,280 October 31, 2007 Signature Sanjay S. Bagade Typed or printed name Terminal disclaimer fee under 37 CFR 1:20(d) included. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. *Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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Application No.: 09/095,323	
Filed; June 10, 1998	
FOR METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BODY C	ONDUITS
The owner*, Asthmatx Inc. of 100 percent interest in the except as provided below, the terminal part of the statutory term of any patent granted on the instant the expiration date of the full statutory term prior patent No. 6.411.852 as the term of said and 173; and as the term of said and 173; and as the term of said prior patent is presently shortened by any terminal disclaimer. The organized on the instant application shall be enforceable only for and during such period that it and the pagreement runs with any patent granted on the instant application and is binding upon the grantee, its said.	application which would extend beyond prior patent is defined in 35 U.S.C. 154 iwner hereby agrees that any patent so prior patent are commonly owned. This
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is reissued; or Is in any manner terminated prior to the expiration of its full statutory term as presently shortened by	by any terminal disclaimer.
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For submissions on behalf of a business/organization (e.g., corporation partnership, university etc.), the undersigned is empowered to act on behalf of the business/organization.	, government agency.
I hereby declare that all statements made herein of my own knowledge are true and that a belief are believed to be true, and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United statements may jeopardize the validity of the application or any patent issued thereon.	willful false statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 42,280	
S	
Ø Signature	October 31, 2007. Date
Sanjay S. Bagade Typed or printed name	
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	==Telephone Number
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I hereby declare that all statements made herein of my own knowledge are true and the belief are believed to be true; and further that these statements were made with the knowledge made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the Unistatements may jeopardize the validity of the application or any patent issued thereon.	that willful false statements and the like so
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REJECTION OVER A "PRIOR" PATENT	ASTXNA00100
In re Application of: Michael D. LAUFER	
Application No.: 09/095,323	
Filed: June 10, 1998	
For: METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BO	DY CONDUITS
The owner', Asthmatx, Inc. of 100 percent interest except as provided below, the terminal part of the statutory term of any patent granted on the institute expiration date of the full statutory term prior patent No. 6,283,989 as the term of and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer, granted on the instant application shall be enforceable only for and during such period that it and agreement runs with any patent granted on the instant application and is binding upon the grantee	said prior patent is defined in 35 U.S.C. 154 The owner hereby agrees that any patent so the prior patent are commonly owned. This
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I hereby declare that all statements made herein of my own knowledge are true and to belief are believed to be true, and further that these statements were made with the knowledge made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the U statements may jeopardize the validity of the application or any patent issued thereon.	that willful false statements and the like so
2. The undersigned is an attorney or agent of record #Reg. No. 42.280	
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Signature	
Sanjay S. Bagade	
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	(650) 242-4212 Telephone Number
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COMMENTS OF

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re Application of: Michael D. LAUFER oplication No.: 09/095,323 led: June 10, 1998 or: METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BODY Contents of the foliation of the statutory term of any patent granted on the instant at a expiration date of the full statutory term prior patent No. 6,283,988 as the term of said prior patent is presently shortened by any terminal disclaimer. The original of the instant application shall be enforceable only for and during such period that it and the present of the substant application shall be enforceable only for and during such period that it and the present of the substant application of the statutory term as defined in 35 U.S.C. 154 and 173 of the foliation of the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the statut is presently shortened by any terminal disclaimer, in the event that said prior patent later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate:	the instant application hereby disclaims application which would extend beyond prior patent is defined in 35 U.S.C. 154 wher hereby agrees that any patent so rior patent are commonly owned. This uccessors or assigns:
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For, METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BODY C	CONDUITS
The owner*, Asibmatx Inc. of 100 percent interest in t	he instant application hereby disclaims.
except as provided below, the terminal part of the statutory term of any patent granted on the instant	application which would extend beyond prior patent is defined in 35 U.S.C. 154 owner hereby agrees that any patent so prior patent are commonly owned. This
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any paten would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent is presently shortened by any terminal disclaimer, in the event that said prior patent later:	
expires for failure to pay a maintenance fee;	
is found invalid by a court of competent jurisdiction;	
is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or	
is in any manner terminated prior to the expiration of its full statutory term as presently shortened to	y any terminal disclaimer.
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I hereby declare that all statements made herein of my own knowledge are true and that a belief are believed to be true; and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both, under Section 1001 of Titlo 18 of the United statements may jeopardize the validity of the application or any patent issued thereon.	willful false statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 42.280	
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Some Sex	October 31, 2007
Signature	Date
Sanjay S. Bagade	
Typed or printed name	
	the state of the s
	(650) 242-4212 Telephone Number
Terminal disclaimer fee under 37 CFR 1.20(d) included.	
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT	Docket Number (Optional) ASTXNA00100
In re Application of: Michael D. LAUFER	
Application No.: 09/095,323	
Filed: June 10, 1998	
For: METHOD AND APPARATUS FOR TREATING SMOOTH MUSCLES IN THE WALLS OF BODY C	CONDUITS
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I hereby declare that all statements made herein of my own knowledge are true and that a belief are believed to be true; and further that these statements were made with the knowledge that made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United statements may jeopardize the validity of the application or any patent issued thereon.	willful false statements and the like so
2. The undersigned is an attorney or agent of record. Reg. No. 42,280	
Signature	October 31, 2007 Date
Sanjay S. Bagade	
Typed or printed name	
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5	October 31, 2007
Signature	Date.
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2. The undersigned is an attorney or agent of record. Reg. No. 42:280	
	October 31, 2007
○ Signature	Date
Sanjay S. Bagade.	
Typed or printed name	
	(650) 242-4212
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✓ Terminal disclaimer fee under 37 CFR 1.20(d) included.	
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